

§ 176.13

the requirements of this part unless they are offered for transportation as hazardous wastes.

(f) Paragraph (a) of this section does not apply to hazardous materials, including certain hazardous wastes and hazardous substances as defined in § 171.8 of this subchapter, which are not subject to the requirements of the IMDG Code.

(g) The requirements of this subchapter do not apply to atmospheric gases used in a refrigeration system.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 176.11, see the List of CFR Sections Affected which appears in the Finding Aids section of the printed volume and on GPO Access.

§ 176.13 Responsibility for compliance and training.

(a) Unless this subchapter specifically provides that another person shall perform a particular duty, each carrier shall perform the duties specified and comply with all applicable requirements in this part and shall ensure its hazmat employees receive training in relation thereto.

(b) A carrier may not transport a hazardous material by vessel unless each of its hazmat employees involved in that transportation is trained as required by subpart H of part 172 of this subchapter.

(c) The record of training required by § 172.704(d) of this subchapter for a crewmember who is a hazmat employee subject to the training requirements of this subchapter must be kept on board the vessel while the crewmember is in service on board the vessel.

[Amdt. 176-31, 57 FR 20954, May 15, 1992, as amended by Amdt. 176-35, 59 FR 49134, Sept. 26, 1994]

§ 176.15 Enforcement.

(a) An enforcement officer of the U.S. Coast Guard may at any time and at any place, within the jurisdiction of the United States, board any vessel for the purpose of enforcement of this subchapter and inspect any shipment of hazardous materials as defined in this subchapter.

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(b) [Reserved]

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-1A, 41 FR 40687, Sept. 20, 1976; Amdt. 176-24, 51 FR 5974, Feb. 18, 1986]

§ 176.18 Assignment and certification.

(a) The National Cargo Bureau, Inc., is authorized to assist the Coast Guard in administering this subchapter with respect to the following:

(1) Inspection of vessels for suitability for loading hazardous materials;

(2) Examination of stowage of hazardous materials;

(3) Making recommendations for stowage requirements of hazardous materials cargo; and

(4) Issuance of certificates of loading setting forth that the stowage of hazardous materials is in accordance with the requirements of this subchapter.

(b) A certificate of loading issued by the National Cargo Bureau, Inc., may be accepted by the Coast Guard as prima facie evidence that the cargo is stowed in conformity with the requirements of this subchapter.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-24, 51 FR 5974, Feb. 18, 1986]

Subpart B—General Operating Requirements

§ 176.24 Shipping papers.

A carrier may not transport a hazardous material by vessel unless the material is properly described on the shipping paper in the manner prescribed in part 172 of this subchapter.

§ 176.27 Certificate.

(a) A carrier may not transport a hazardous material by vessel unless he has received a certificate prepared in accordance with § 172.204 of this subchapter.

(b) In the case of an import or export shipment of hazardous materials which will not be transported by rail, highway, or air, the shipper may certify on the bill of lading or other shipping paper that the hazardous material is properly classed, described, marked, packaged, and labeled according to

part 172 of this subchapter or in accordance with the requirements of the IMDG Code (see §171.7 of this subchapter). See §171.12 of this subchapter.

(c)(1) A person responsible for packing or loading a freight container or transport vehicle containing hazardous materials for transportation by a manned vessel in ocean or coastwise service, must provide the vessel operator, at the time the shipment is offered for transportation by vessel, with a signed container packing certificate stating, at a minimum, that—

(i) The freight container or transport unit is serviceable for the materials loaded therein, contains no incompatible goods, and is properly marked, labeled or placarded, as applicable; and

(ii) When the freight container or transport unit contains packages, those packages have been inspected prior to loading, are properly marked, labeled or placarded, as applicable; are not damaged; and are properly secured.

(2) The certification may appear on a shipping paper or on a separate document as a statement such as “It is declared that the packing of the container has been carried out in accordance with the provisions of 49 CFR 176.27(c)”.

[Amdt. 176-1, 41 FR 16110, Apr. 15, 1976, as amended by Amdt. 176-1A, 41 FR 40687, Sept. 20, 1976; Amdt. 176-12, 45 FR 81572, Dec. 11, 1980; Amdt. 176-14, 47 FR 44471, Oct. 7, 1982; Amdt. 176-36, 59 FR 67518, Dec. 29, 1994; 66 FR 8647, Feb. 1, 2001]

§ 176.30 Dangerous cargo manifest.

(a) The carrier, its agents, and any person designated for this purpose by the carrier or agents shall prepare a dangerous cargo manifest, list, or stowage plan. This document may not include a material which is not subject to the requirements of 49 CFR or the IMDG Code (see §171.7 of this subchapter). This document must be kept in a designated holder on or near the vessel's bridge. It must contain the following information:

(1) Name of vessel and official number. (If the vessel has no official number, the international radio call sign must be substituted.);

(2) Nationality of vessel;

(3) Shipping name and identification number of each hazardous material on

board as listed in §172.101 of this subchapter or as listed in the IMDG Code and an emergency response telephone number as prescribed in subpart G of part 172 of this subchapter.

(4) The number and description of packages (barrels, drums, cylinders, boxes, etc.) and gross weight for each type of packaging;

(5) Classification of the hazardous material in accordance with either:

(i) The Hazardous Materials Table, the §172.101 table; or

(ii) The IMDG Code.

(6) Any additional description required by §172.203 of this subchapter.

(7) Stowage location of the hazardous material on board the vessel.

(8) In the case of a vessel used for the storage of explosives or other hazardous materials, the following additional information is required:

(i) Name and address of vessel's owner;

(ii) Location of vessel's mooring;

(iii) Name of person in charge of vessel;

(iv) Name and address of the owner of the cargo; and

(v) A complete record, by time intervals of one week, of all receipts and disbursements of hazardous materials. The name and address of the consignor must be shown against all receipts and the name and address of the consignee against all deliveries.

(b) The hazardous material information on the dangerous cargo manifest must be the same as the information furnished by the shipper on the shipping order or other shipping paper, except that the IMO “correct technical name” and the IMO class may be indicated on the manifest as provided in paragraphs (a)(3) and (a)(5) of this section. The person who supervises the preparation of the manifest, list, or stowage plan shall ensure that the information is correctly transcribed, and shall certify to the truth and accuracy of this information to the best of his knowledge and belief by his signature and notation of the date prepared.

(c) The carrier and its agents shall insure that the master, or a licensed deck officer designated by the master and attached to the vessel, or in the case of a barge, the person in charge of